

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KEVIN POWELL, Petitioner	:	CIVIL ACTION
	:	
v.	:	
	:	
SUPT. T. BICKELL, et al. Respondents	:	NO. 12-6238

ORDER

AND NOW, this 13th day of June, 2013, upon careful and independent consideration of the petition for a writ of habeas corpus, the response, Petitioner's various declarations, and available state court records, and after review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is hereby ORDERED that:

(1) The Report and Recommendation is APPROVED and ADOPTED;

(2) The petition for a writ of habeas corpus is DISMISSED without prejudice to petitioner's right to file a motion with the United States Court of Appeals for the Third Circuit for an order authorizing this court to consider a second or successive petition. See 28 U.S.C. § 2244; and

(3) The Clerk of the Court shall mark this case CLOSED for statistical purposes.

BY THE COURT:

/s/ Harvey Bartle III

J.